

**FRIEDMAN, JAMES & BUCHSBAUM LLP**

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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SCOTT E. GUSKIND,

Plaintiff,

-against-

CITY OF NEW YORK,

Defendant.

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Civil Action: 22 cv-6289

**PLAINTIFF DEMANDS  
A TRIAL BY JURY**

**COMPLAINT**

**SEAMAN'S CASE UNDER  
THE JONES ACT FOR  
PERSONAL INJURIES**

**SUITS UNDER SPECIAL RULE FOR SEAMEN TO  
SUE WITHOUT SECURITY OR PREPAYMENT OF  
FEES FOR THE ENFORCEMENT OF THE LAWS  
OF THE UNITED STATES, COMMON AND STAT-  
UTORY FOR THE PROTECTION OF AND FOR  
THE HEALTH AND SAFETY OF SEAMEN AT SEA**

Plaintiff, SCOTT E. GUSKIND, complaining of defendant, CITY OF NEW YORK, by his attorneys FRIEDMAN, JAMES & BUCHSBAUM LLP, respectfully alleges as follows:

**FIRST COUNT**

1. Upon information and belief, at all times hereinafter mentioned, defendant, CITY OF NEW YORK, was a municipal corporation with offices within the State of New York and City of New York.

2. At all times and dates hereinafter mentioned, defendant, CITY OF NEW YORK, owned the F/B SAMUEL I. NEWHOUSE.

3. At all times hereinafter mentioned, defendant, CITY OF NEW YORK, operated the F/B SAMUEL I. NEWHOUSE.

4. At all the times and dates hereinafter mentioned, defendant, CITY OF NEW YORK, controlled the F/B SAMUEL I. NEWHOUSE.

5. At all times and dates hereinafter mentioned, plaintiff was a member of the crew of the F/B SAMUEL I. NEWHOUSE and an employee of the defendant.

6. That on or about December 5, 2019, without any fault on the part of the plaintiff, and wholly and solely by reason of the negligence, recklessness and carelessness of defendant, CITY OF NEW YORK, its agents, servants and/or employees, and by reason of the unseaworthiness the F/B SAMUEL I. NEWHOUSE, plaintiff sustained injuries to his cervical spine, left shoulder, and lumbar spine when he was struck by a door that blew open by reason of a faulty door check.

7. As a result of the foregoing, plaintiff was rendered sick, sore, lame and disabled and sustained severe permanent personal injuries, was and is internally and externally disabled causing him to suffer pain, and for a time he was prevented from attending to his daily labors, thereby losing sums of money which he otherwise would have earned as wages, and has

endeavored to be cured of his injuries, and has expended sums of money to maintain himself, and will continue to endure pain and suffering, all to his damage.

8. By reason of the foregoing, plaintiff has been damaged in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS.

**SECOND COUNT**

9. Plaintiff repeats and realleges each and every allegation of the First Count in this Complaint as if fully set forth at length herein.

10. Plaintiff is entitled to maintenance, cure, and medical expenses for the period that he was disabled and unable to work in the total sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS.

**WHEREFORE**, plaintiff, SCOTT E. GUSKIND, demands judgment against defendant, CITY OF NEW YORK, in the First Count in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS; and in the Second Count in the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS; together with interest and costs.

Dated: New York, New York  
July 25, 2022

**FRIEDMAN, JAMES & BUCHSBAUM LLP**  
Attorneys for Plaintiff

By: */S/ Bernard D. Friedman*

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